

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

SOVERAIN SOFTWARE LLC,

Plaintiff,

v.

CDW CORPORATION,

NEWEGG INC.,

REDCATS USA, INC.

SYSTEMAX INC.,

ZAPPOS.COM, INC.,

REDCATS USA, L.P.,

THE SPORTSMAN'S GUIDE, INC.,

AND

TIGERDIRECT, INC.,

Defendants.

Case No. 6:07-CV-00511-LED

ORDER OF DISMISSAL WITH PREJUDICE

WHEREAS, Plaintiff Soverain Software LLC and Defendant Zappos.com, Inc. ("Zappos") have moved this Court to substitute for the previously entered Order of Dismissal Without Prejudice (Docket No. 169) an Order of Dismissal With Prejudice. The Court, having considered this agreed motion, is of the opinion that the request should be granted.

IT IS THEREFORE ORDERED that:

1. Plaintiff's complaint against Zappos is now dismissed with prejudice.
2. Zappos's counterclaims against Plaintiff are now dismissed with prejudice.
3. Each party shall bear its own attorneys' fees, expenses and costs.